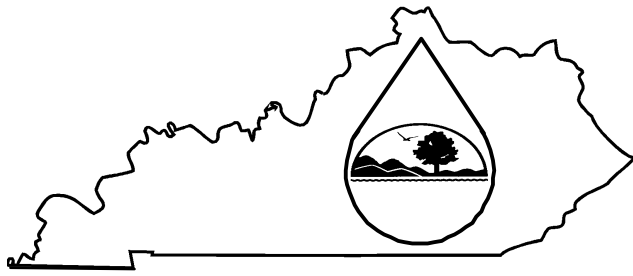


# FORM NOI-CM

## KENTUCKY POLLUTION DISCHARGE ELIMINATION SYSTEM (KPDES)



### Permit Application for General Permit Coverage For Coal Mining Operations

This is an application for:

- ☐ New mining operation coverage.
- ☐ Modification of coverage for additional area in same watershed.
- ☐ Modification of coverage for additional area in different watershed.
- ☐ Previously covered by an individual permit.

In order to qualify for coverage under the *Coal General Permit*, the coal mining operation must have obtained a Permanent Program Permit from the Department for Surface Mining Reclamation and Enforcement (DSMRE) (except those operations listed in Part III of the *Coal General Permit*).

For additional information contact:  
KPDES Branch (502) 564-3410

If Modification is checked, state reason for Modification:

For Agency Use	Permit No. (Leave Blank)	K	Y	G	0	4				
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#### SECTION I – PERMITTEE INFORMATION

Applicant Name:	
Mailing Address:	
City, State, Zip Code:	
Contact Name:	
Contact Phone Number:	Home # (     )     -     Work # (     )     -     Pager # (     )     -

#### SECTION II – GENERAL SITE INFORMATION

1. Attach a full size color USGS 7½-minute quadrangle map with the facility site clearly marked. USGS maps may be obtained from the University of Kentucky, Mines and Minerals Bldg. Room 106, Lexington, Kentucky 40506. Phone number (859) 257-3896.	
2. Attach a copy of the Mining and Reclamation Plan map.	
3. DSMRE Number:	4. Type of Operation:
5. County where facility is located:	6. Nearest community:
7. Nearest public road intersection:	8. Nearest named stream:
9. Facility Site Latitude (degrees, minutes, seconds):	Facility Site Longitude (degrees, minutes, seconds):
10. Method used to obtain latitude and longitude (see instructions):	
11. Surface disturbance acreage:	12. Underground acreage:

#### SECTION III – SPECIFIC SITE INFORMATION

Number of sediment structures proposed:	(complete sediment structure inventory table on page 3)
Number of fills proposed:	(complete fill inventory table on page 4)
Number of stream crossings proposed:	(complete stream crossings inventory table on page 4)
Nearest downstream public water supply:	
Distance in stream miles to nearest downstream public water supply:	

**SECTION IV – COE CWA SECTION 404 PERMIT INFORMATION**

Has a Clean Water Act Section 404 permit been obtained from the Army Corps of Engineers for any or all sediment structures, fills or stream crossings?

Permit Number:

Permit Issuance Date:

Activities covered by permit:

**SECTION V – CERTIFICATION**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME AND OFFICIAL TITLE  
(Type or Print)Telephone Number:  
(Area Code and Number)

(       )       -

SIGNATURE:

DATE:

**SECTION VI – NOI PREPARER INFORMATION**

Preparer Name:

Mailing Address:

City, State, Zip Code:

Phone Number:

Home # (       )       -       Work # (       )       -       Pager # (       )       -

This completed application form and attachments should be sent to: KPDES Branch, Division of Water, Frankfort Office Park, 14 Reilly Road, Frankfort, Kentucky 40601. Questions should be directed to: KPDES Branch, Inventory and Data Management Section at (502) 564-3410.

## Sediment Structure Inventory

ID Number	Upland/ In-stream	Permanent/ Temporary	Drainage Area (acres)	Activities	Latitude (dd-mm-ss)	Longitude (dd-mm-ss)	Receiving Water (name)

### Instructions

- ID Number: Provide the structure's identification number.
- Upland/In-stream: Indicate whether the structure is on the bench, in-stream or upland.
- Permanent/Temporary: Indicate whether the structure is permanent or temporary.
- Drainage Area: Provide the contributing drainage area in acres.
- Activities: List the types of activities within the contributing drainage area, i.e; fills, haul roads, surface mines, underground mines, etc.
- Latitude: Provide the latitude of the structure in degrees-minutes-seconds format.
- Longitude: Provide the longitude of the structure in degrees-minutes-seconds format.
- Receiving Stream: Provide the name of the water body which receives the structure's discharges.

(Attach additional pages if necessary)

## Fill Inventory

ID Number	Permanent/Temporary	Fill Size (acres)	Watershed Size (acres)	Latitude (dd-mm-ss)	Longitude (dd-mm-ss)	Impacted Stream (name)

### Instructions

ID Number: Provide the structure's identification number.  
Permanent/Temporary: Indicate whether the fill is permanent or temporary.  
Size: Provide the size of the fill in acres.  
Watershed: Provide the watershed size in acres above the lowest point of the permanent fill.  
Latitude: Provide the latitude of the fill in degrees-minutes-seconds format.  
Longitude: Provide the longitude of the fill in degrees-minutes-seconds format.  
Impacted Stream: Provide the name of the water body in which the fill is being placed.

(Attach additional pages if necessary)

## Stream Crossings Inventory

ID Number	Permanent/Temporary	Stream Crossing Type	Watershed Size (acres)	Latitude (dd-mm-ss)	Longitude (dd-mm-ss)	Impacted Stream (name)

### Instructions

ID Number: Provide the stream crossing's identification number.  
Permanent/Temporary: Indicate whether the stream crossing is permanent or temporary.  
Type: Provide the type of crossing, i.e. bridge, culvert, low water, etc.  
Watershed: Provide the watershed size in acres above the stream crossing.  
Latitude: Provide the latitude of the stream crossing in degrees-minutes-seconds format.  
Longitude: Provide the longitude of the stream crossing in degrees-minutes-seconds format.  
Impacted Stream: Provide the name of the water body in which the stream crossing is being placed.

(Attach additional pages if necessary)

# KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM

## FORM NOI-CM – INSTRUCTIONS

Listed below are explanations of select Form NOI-CM questions. If further information is needed concerning any questions, please contact the Division of Water at (502) 564-3410.

The following types of activities are **not eligible for coverage** under the KPDES Coal General Permit and must obtain individual KPDES permits:

- a. The coal mining operation has not been permitted under KRS Chapter 350.
- b. New or expanded operations proposing to discharge directly into a receiving stream that has been classified as a Coldwater Aquatic Habitat or as an Outstanding State Resource Water as listed in 401 KAR 5:026, Section 5.
- c. New or expanded operations proposing to discharge directly into or to a direct first or second order tributary of a Publicly-owned Lakes or Reservoirs as listed in 401 KAR 5:026, Section 5.
- d. New or expanded operations proposing to discharge directly into a receiving stream that has been classified as an Outstanding National Resource Water or as an Exceptional Waters as listed in 401 KAR 5:030, Section 3.
- e. New or expanded operations involving the dredging of coal from a water of the Commonwealth.
- f. New or expanded operations involving the wet beneficiation (washing) of coal.
- g. New or expanded operations involving the disposal of coal slurry into waters of the Commonwealth or underground injection.
- h. Any operation using or proposes to use Anhydrous Ammonia as a treatment option.
- i. New or expanded operations within five (5) miles upstream of an existing drinking water intake.
- j. Any operation discharging to a water of the Commonwealth that has been listed, in the most recently developed 303(d) list, as impaired for one or more of the pollutants commonly associated with coal mining.
- k. Any operation that meets the definition of a coal remining operation found in Coal Mining Effluent Guidelines (Subpart G of 40 CFR Part 434).
- l. Any operation proposing to dispose of solid or special wastes within the mining area.

**The Notice of Intent (NOI) is to be submitted to the Division of Water a minimum of ninety (90) days prior to issuance of the DSMRE Permit.**

**Please be sure to indicate the purpose of the application by checking the appropriate box on the top right portion of the form. If a KPDES Permit has not previously covered the operation, then check the “New Mining Operation Coverage” check box.**

### SECTION I – PERMITTEE INFORMATION

**Applicant Name:** Provide the name of the DSMRE permit holder.

**Mailing Address, City, State, and Zip Code:** Provide the mailing address of the DSMRE permit holder.

**Contact Name:** Provide the name of the person who is responsible for the operation.

**Contact Phone No. :** Provide the telephone numbers of the person who is responsible for the operation.

### SECTION II – GENERAL SITE INFORMATION

**DSMRE No.:** Provide the DSMRE Permanent Program Permit number.

**Type of Operation:** Eligible types of mining activities are limited to: coal load outs; haul roads; refuse disposal sites (excluding slurry); surface mines; tipples; and underground mines.

**County where facility is located:** County in which the facility is primarily located.

**Nearest Community:** Provide the name and distance of the nearest community.

**Nearest public road intersection:** Provide the nearest state road intersection and distance.

**Nearest named stream:** Provide the name of the nearest name water of the Commonwealth (use the 7 ½ minute topographic map).

**Latitude/Longitude:** Provide the general site latitude and longitude of the operation in degrees-minutes-seconds format.

**Method used to obtain latitude and longitude:** (i.e. topographic map coordinates, GPS reading, etc.).

**Surface Disturbance/Underground Acreage:** List the acreages of each.

### SECTION III – SPECIFIC SITE INFORMATION

**Number of sediment structures proposed:** Enter the number of sediment structures proposed and complete the Sediment Structure Inventory chart.

**Number of fills proposed:** Enter the number of sediment structures proposed and complete the Fill Inventory chart.

**Number of stream crossings proposed:** Enter the number of sediment structures proposed and complete the Stream Crossings Inventory chart.

**Nearest downstream public water supply:** Enter the name of the nearest downstream public drinking water supply.

**Distance in stream miles to nearest downstream public water supply:** Indicate the distance in stream miles.

### SECTION IV – COE CWA SECTION 404 PERMIT INFORMATION

**Has a Clean Water Act Section 404 permit been obtained from the Army Corps of Engineers:** Indicate Yes or No.

**Permit Number:** Provide the COE Section 404 permit number.

**Permit Issuance Date:** Provide the issuance date of the COE Section 404 permit.

**Activities covered by permit:** List the activities covered by the COE Section 404 permit.

### SECTION V – CERTIFICATION

The permit application must be signed as follows:

**Corporation:** by a principal executive officer of at least the level of vice president.

**Partnership or sole proprietorship:** by a general partner or the proprietor respectively.

### SECTION VI – NOI PREPARER INFORMATION

**Preparer Name:** Provide the name of the person who prepared the NOI.

**Mailing Address, City, State, and Zip Code:** Provide the mailing address of the person who prepared the NOI.

**Preparer Phone No.:** Provide the telephone numbers of the person who prepared the NOI.

### NOTES:

In addition to the completed and signed NOI-CM and attachments, the following items are to be included with the submittal for a “New mining operation” or “Modification of coverage for additional area in a different watershed”:

- A preliminary biological survey of the impacted watersheds performed in accordance with the guidelines established by the Division of Water in the “Methods for Assessing Biological Integrity of Surface Waters”, 2002 Edition. The results of which shall be reported using the KPDES Bio Data Excel Workbook.
- The resumes of all personnel who are involved in the collection, identification, and analysis of the data collected.

The KPDES FORM NOI-CM, the KPDES Bio Data Excel Workbook, their accompanying instructions, and the “Methods for Assessing Biological Integrity of Surface Waters”, 2002 Edition are available from the Division of Water’s web site at <http://water.nr.state.ky.us/dow/descrip.html>. The NOI may be submitted by either an electronic format (Compact Disk (CD) or Web base) or on paper; CD version preferred.

The aforementioned forms and documents are to be submitted to the Division of Water at the following address:

Section Supervisor  
Inventory & Data Management Section  
KPDES Branch  
Division of Water  
14 Reilly Road  
Frankfort, Kentucky 40601